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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,943	09/30/2003	Katsuyuki Ochiai	44471-292886	7852

23370 7590 10/09/2007
JOHN S. PRATT, ESQ
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EXAMINER

HUYNH, NAM TRUNG

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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10/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/676,943	OCHIAI ET AL.	
	Examiner	Art Unit	
	Nam Huynh	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/9/2007 has been entered.

Response to Amendment

This office action is in response to amendment filed on 8/9/2007. Of the previously presented claims 1-6, claims 1-6 have been cancelled and claims 7 and 8 have been added.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coppersmith et al. (US 5,796,827) (hereinafter Coppersmith) in view of Hansmann et al. (US 2001/0024157) (hereinafter Hansmann) and further in view of Goldman (US 3,407,388).

Coppersmith discloses a system and method for near-field human-body coupling for encrypted communication with identification cards (title). In the scope of the invention a user carries a personal area network card (PAN) (wearable computer) that replaces the function of the cards in a person's wallet (wallet manager) (column 7, lines 43-55) and includes a transceiver (first transceiver) that communicates with the transceiver (second transceiver) of an ATM, or any other type of commodity or service-providing device (column 7, lines 59-67 and column 8, lines 66-67). Coppersmith teaches that the PAN card transceiver utilizes the conductive medium of the user's body to transmit an ID signal when a user touches the receive electrode (conductive pusher connected to the second transceiver and touched and pressed down with the body of a user when the user intends to obtain the corresponding commodity from the vending machine) of a second device in order to perform a transaction or provide identification information (first transceiver configured to transmit and receive information by inducing an electric field in a body of the user serving as an electric-field propagating medium according to information to be transmitted and by detecting the electric field induced in the human body) (columns 15 and column 16, lines 1-24).

Coppersmith discloses that the invention may be employed in numerous environments such as public telephones which accept calling cards, gas pumps at service stations, photocopy machines, postal meters, and entry through building or automobiles (column 7, lines 59-67), but does not explicitly include a vending machine with a plurality of commodity selection buttons each corresponding to a commodity. Vidondo discloses a vending machine controlled by a main control circuit (sales processor) that is not limited to the payment means accepted and includes a plurality of push buttons (switches) wherein each push button corresponds to a desired product (switch connected to the sales processor and configured to transfer press information to the sales processor) (column 3, lines 52-62 and column 4, lines 11-19). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Coppersmith to a vending machine in order to automatically sell products or services. This modification is within the scope of Coppersmith because Coppersmith lists devices or machines that solicit a commodity or service.

The combination of Coppersmith and Vidondo does not explicitly disclose that the sales processor regularly sends a connection confirmation packet to inform the wallet manager of the presence of the vending machine and that the wallet manager detects the confirmation packet sent from the sales processor and sends the electric money information stored therein to the sales processor. Coppersmith teaches the opposite or reverse wherein the PAN card continuously, or at regular intervals such as every second, transmits a signal so that when a user touches the receive electrode of a

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control panel the signal passes into the control panel for receipt by the processor (column 8, lines 36-45). However, it is obvious to one of ordinary skill in the art that the PAN card, the vending machine, or both devices may "continuously transmit a signal" in order to detect presence. By modifying the vending machine of the combination to alternatively transmit the detection signal, power consumption of the PAN card or its associated device can be reduced.

The combination of Coppersmith and Vidondo does not explicitly disclose that an insulator is disposed between the conductive pusher and the switch to prevent the electric field induced in the pusher from leaking to the switch. Goldman discloses a customer service unit wherein a button carries a bumper (insulator) of insulating material. The bumper is located between the button and a fixed contact (switch) that conducts an energized signal (column 5, lines 50-59 and figure 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Coppersmith and Vidondo to include insulating material between the receive electrode and the button, as taught by Goldman, in order to properly send the ID signal to the processor or main circuit. It is well known in the art that insulators are conventionally used to prevent a signal from leaking or escaping.

Response to Arguments

5. Applicant's arguments with respect to claims 7 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ochiai (US 6,829,467)

Hansmann et al. (US 2001/0024157)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


NTH

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9/28/07


GEORGE ENG
SUPERVISORY PATENT EXAMINER